

Notice of Allowability

Application No.

10/705,471

Applicant(s)

ZOCCO, PHILIP

Examiner

Art Unit

Jeanette E. Chapman

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to THE AMENDMENT FILED 7/2/07.
2. ☒ The allowed claim(s) is/are 2-6, 10, 13, 18-20, 22-24, 26, 28-29, 31-36.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

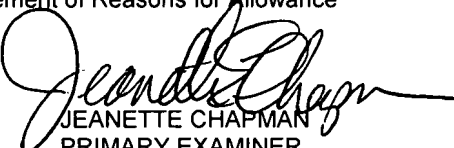
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JEANETTE CHAPMAN
PRIMARY EXAMINER
ART UNIT 3635

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Independent claim 3 is directed to an insert for placement in a door light. The insert includes a substantially planar top surface defining a plane, and a raised portion at least partially surrounded by the top surface. The raised portion includes at least two features which are raised with respect to the plane of the top surface. The raised portion has a substantially uniform configuration, and the raised portion defines an upper surface. The at least two features on the raised portion include at least two raised concentric rings substantially centered on the insert. The insert also includes a substantially planar bottom surface spaced apart from and disposed substantially in parallel in relation to the top surface, and a recessed portion at least partially surrounded by the bottom surface. The recessed portion includes at least two features which are recessed with respect to the bottom surface, and the recessed portion defines a lower surface. The at least two features on the recessed portion include at least two recessed concentric rings which substantially correspond in shape and size to the at least two raised concentric rings on the raised portion, and the distance between the upper surface of the raised portion and the lower surface of the recessed portion is substantially uniform throughout.

Popovich is directed to a dome-shaped radiant energy concentrator for heating a fluid reservoir, such as a water pipe. Radiant energy passes through an entry face 12 on the concentrator which is made up of stair-stepped faces 12a and 12b and travels out through the exit face 13 towards the target 15. As discussed in Popovich, the entry face 12 and exit face 13 are configured to

concentrate radiant energy in the form of rays 16a, 16b towards the target 15 inside the device.

FIG. 10A in Popovich does not disclose a configuration where the recessed portion substantially corresponds in shape and size to the raised portion such that the distance between the upper and lower surface is substantially uniform. As shown in FIG. 10A, the upper surface has a stepped configuration where each step forms a 90 degree angle. In contrast, the lower surface shown in FIG. 10A has an angled surface with facets 444 where each facet forms approximately a 45 degree angle. Thus, in the embodiment shown in FIG. 10A, the lower surface does not substantially correspond in shape and size to the upper surface and the distance between these two surfaces varies along the body means 440, and is thus not substantially uniform throughout, as recited in claim 3.

FIGS. 3A-3B illustrate one embodiment where at least two recessed concentric rings on the recessed portion substantially correspond in size and shape to the at least two raised concentric rings on the raised portion, and the distance between the upper surface of the raised portion and the lower surface of the recessed portion is substantially uniform throughout. In other words, the insert looks similar on each side. In contrast, the energy concentrator shown in FIG. 10A of Popovich does not look similar on each side, and thus does teach or suggest all of the limitations recited in independent claim 3.

Furthermore, as pointed out in the Amendment dated November 29, 2006, the disclosure in Popovich actually teaches away from the invention recited in independent claim 3. Claim 3 recites an insert for placement in a door that is configured such that the insert looks substantially similar on each side. By contrast, Popovich is directed to a solar heat concentrator, where the angle and configuration of the upper and lower surface affect how rays are diverted and thus concentrated. There is no teaching or suggestion to modify the concentrator in Popovich such that

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the distance between the upper and lower surfaces is substantially uniform throughout as recited in claim 3. In fact, if Popovich were so modified, facets 444 would not achieve their desired function to "bend rays 443 through 90 degrees onto cylindrical target 441". (Popovich, Col. 8, lines 17-19). Rather, the rays of light would be directed downwardly, parallel to the target 441 and not toward it, defeating the purpose of the lens. Thus, Popovich actually teaches away from such a modification.

For at least these reasons, claim 3 is patentable over Popovich. Claims 2, 6, 10, 11, 13, 22- 24 and 33 depend from claim 3 and are patentable for at least the same reasons.

Accordingly, the rejection of these claims has been withdrawn.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeanette E. Chapman whose telephone number is 571-272-6841. The examiner can normally be reached on Mon.-thursday, 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CHILCOT RICHARD can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


JEANETTE CHAPMAN
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